

# Don't Abandon the Iran Nuclear Deal

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Although his administration is already struggling with one major nonproliferation challenge—North Korea's advancing nuclear and missile capabilities—President Donald Trump soon may initiate steps that could unravel the highly successful 2015 Iran nuclear deal, thereby creating a second major nonproliferation crisis.

Blowing up the 2015 agreement between Iran and six world powers and the European Union, known as the Joint Comprehensive Plan of Action, would be irrational and counterproductive, but it can be prevented.

If Trump backs out of the accord and tries to reimpose nuclear-related sanctions absent clear evidence of Iranian violations, the United States would be blamed, international support for new sanctions would be soft or non-existent, and Iran could choose to exceed the limits set by the deal.

Members of Congress and parties to the agreement can and should be prepared to head off such an outcome, which could unfold in one of two ways.

First, Trump is clearly pushing his advisers to find a reason to deny certification that Iran is in compliance with the agreement under the terms of the Iran Nuclear Agreement Review Act. Under that law, the administration must certify every 90 days that Iran is fully implementing the nuclear deal and that suspension of sanctions is "appropriate and proportionate" to the measures taken by Iran. Failure to issue the certification would open the door for Congress, under expedited procedures, to introduce legislation to reimpose nuclear sanctions on Iran.

In July, Trump said that "if it was up to me, I should have had [Iran] noncompliant 180 days ago." He said he would be "surprised" if Iran was in compliance at the next certification deadline in mid-October.

Thus far, however, reporting from the U.S. intelligence community, the International Atomic Energy Agency (IAEA), and the other parties to the agreement make it clear that Iran is meeting its many commitments. But given that the certification involves subjective judgments outside the four corners of the nuclear deal, Trump may choose, for political reasons, not to make the certification.

Before enabling any Trump move to undermine the nuclear deal by advancing legislation to reimpose sanctions, Congress must demand to see the evidence behind any allegation of Iranian noncompliance, consider whether the intelligence community concurs, and, if there is a true compliance dispute, call on the White House to use the eight-member body known as the Joint Commission to exhaust all options to resolve the matter quickly.

If Trump cannot produce solid evidence of an Iranian violation, Congress does not have to and should not vote to reimpose nuclear sanctions.

Even if Congress takes the bait, the other parties should continue to abide by their commitments under the agreement. On Aug. 27, the head of the Atomic Energy Organization of Iran, Ali Akbar

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Salehi, said if Washington withdraws but the five other parties remain committed, Tehran would remain committed. European entities, which would be subject to secondary U.S. sanctions, can and should take precautions to insulate their commercial and financial dealings from such U.S. penalties.

Second, the United States is pressing the IAEA to demand inspections at sensitive sites in the hope of provoking a refusal that would justify a finding of noncompliance. U.S. Ambassador to the United Nations Nikki Haley is already insinuating that because the IAEA has not inspected “numerous undeclared sites,” we cannot be sure Iran is not already violating the agreement.

Under the agreement, the IAEA can request access to any site if there is a specific concern about illicit or undeclared materials and activities. If the IAEA requests information or access and remains unsatisfied with Iran’s response, five of the eight members of the Joint Commission can vote on actions to resolve the concern, including authorizing access that Iran would be required to provide.

It is essential that the IAEA continue to be vigilant, and Iran should cooperate fully with all IAEA requests for information and access in a timely manner. But given Trump’s stated opposition to the agreement, the new push by Washington for the agency to seek access to undeclared sites should be treated with special caution.

The Iran nuclear deal is a clear net plus for U.S. and global security. It has dramatically reduced the proliferation risk posed by Iran’s nuclear program and mandates unprecedented monitoring and transparency measures to deter and promptly detect any violation. It promises to block Iran’s pathways to development of nuclear weapons for a decade or more. There is no realistic option for scrapping the agreement and negotiating a “better deal.”

The smarter approach would be to continue to implement and vigorously enforce the multilateral nuclear deal and seek to build global support for the widespread adoption of its most innovative verification and nonproliferation measures.

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